



PUBLIC NOTICE

File Number: NRS 10.301

Notice Date:
November 9, 2010

Expiration Date:
December 9, 2010

Pursuant to Chapter 1200-4-7 of the Department's rules, the proposed activity described below has been submitted for approval under an §401 Water Quality Certification (this also includes Aquatic Resource Alteration Permits). This notice is intended to inform interested parties of this permit application and to ask for comments and information necessary to determine possible impacts to water quality. No decision has been made whether to issue or deny this application.

APPLICANT: Hamilton County
1250 Market Street
Chattanooga, Tennessee 37402

LOCATION: Project is located in the Enterprise South Industrial Park located southeast of the intersection of Bonny Oaks Drive and Volkswagen Drive, Hamilton County, Tennessee.

PROJECT DESCRIPTION / PURPOSE: The applicant proposes the construction of a 23 acre facility on 80 acres. In order to construct the proposed facility the applicant will need to impact 0.3 acres of pond/wetland, 920 feet of a wet weather conveyance/ephemeral stream (General Permit for the Alteration of Wet Weather Conveyances) and under 200 feet of culvert for a road crossing of an intermittent stream (General Permit for the Construction and Removal of Minor Road Crossings).

The applicant proposes to compensate for the impact to 0.3 acres of wetland with the creation of 1.5 acres on Newark soils (considered hydric in Hamilton County) in the floodplain of Little Wolftever Creek. The proposed wetland mitigation site is approximately 2 miles from the impact site. However, the impact site is in the Poe Brach watershed while the mitigation site is the Little Wolftever watershed. Both are in the Chickamauga Lake drainage of the Tennessee River.

The mitigation site consists primarily of fescue. An 8-inch to 1-foot deep overflow channel will be excavated to bankfull depth in an outside bend of Little Wolftever Creek to capture high flows. Shallow excavation to one foot shall also occur to promote water retention. Hydrology will also be provided by sheet flow from north, east and west. A 4-5 foot wide channel would be extended in a meandering pattern through the wetland. Native wetland tree seedlings shall be planted at the rate of approximately 450 per acre.

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The applicant shall monitor the wetland mitigation site and submit an annual report for 5 years. The division's Notice of Land Use Restrictions shall be placed on the wetland mitigation site.

DEGRADATION: In accordance with the Tennessee Antidegradation Statement (Rule 1200-4-3-.06), the division has determined that the proposed activities will not result in degradation to water quality.

WATERSHED / WATERBODY DESCRIPTION: Current land use is primarily open land that has been previously cleared for development. Surrounding land use is Industrial Park. The wetland consist of an old pond and is dominated by black willow, green ash, bulrush, smartweed and spikerush.

PERMIT COORDINATOR: Mike Lee

TOPOGRAPHICAL QUADRANGLE: East Chattanooga 112 SW
Lat 35.068866 Long -85.140938W

FACTORS CONSIDERED: In deciding whether to issue or deny a permit, the department will consider all comments of record and the requirements of applicable federal and state laws. In making this decision, a determination will be made regarding the lost value of the resource compared to the value of any proposed mitigation. The department shall consider practicable alternatives to the alteration. The department shall also consider loss of waters or habitat, diminishment in biological diversity, cumulative or secondary impacts to the water resource, and adverse impact to unique, high quality, or impaired waters.

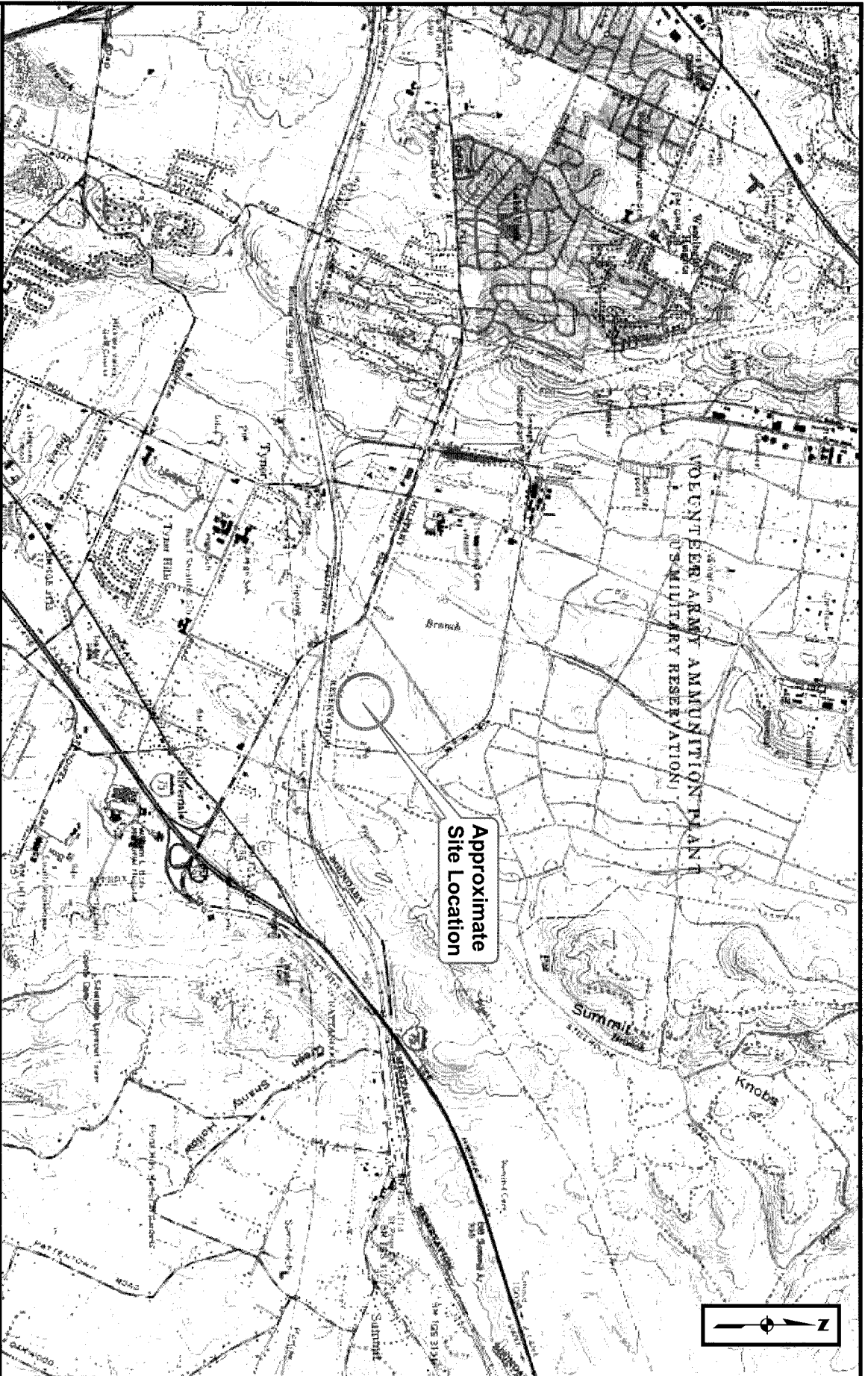
COMMENTING: Persons wishing to comment on the proposal are invited to submit written comments to the department. Written comments must be received within **thirty days of the date that this notice is posted**. Comments will become part of the record and will be considered in the final decision. The applicant's name and permit number should be referenced. Send all written comments to the department's address listed below and to the attention of the permit coordinator.

PUBLIC HEARING: Interested persons may request in writing that the department hold a public hearing on this application. The request must be filed within the comment period, indicate the interest of the person requesting it, the reasons that the hearing is warranted, and the water quality issues being raised. When there is sufficient public interest in water quality issues, the department will hold a public hearing. Send all public hearing request to the department's address listed below and to the attention of the permit coordinator.

APPEAL: A petition for permit appeal may be filed, pursuant to T.C.A. §§ 69-3-105 by the permit applicant or by any aggrieved person who participated in the public comment period whose appeal is based upon any of the issues that were provided to the commissioner in writing during the public comment period or in testimony at a formal public hearing on the permit application. Any petition for permit appeal shall be filed with the board within **thirty (30) days** after public notice of the commissioner's decision to issue or deny the permit. Such petition must state in numbered paragraphs the basis of the appeal as required by the Administrative Procedures Act and regulations promulgated thereunder. The petition must be prepared on 8½" x 11" paper, addressed to the Water Quality Control Board and filed in duplicate at the address listed below. Any hearing would be in accordance with T.C.A. §§69-3-110 and 4-5-301 et seq.

FILE REVIEW: The permit application, supporting documentation including detailed plans and maps, and related comments are available at the department's address (listed below) for review and/or copying.

Tennessee Department of Environment & Conservation
Division of Water Pollution Control, Natural Resources Section
7th Floor L & C Annex
401 Church Street
Nashville, TN 37243



USGS 7.5 Minute Series Topographic Quadrangle
Map Reference: East Chattanooga, Tennessee Quad

0 2,500 5,000
Feet

SCALE: AS SHOWN

CHECKED: KS

DRAWN: SAS

DATE: 10/27/10



Site Vicinity Map

**Enterprise South Industrial
Park Property**
Chattanooga, Tennessee

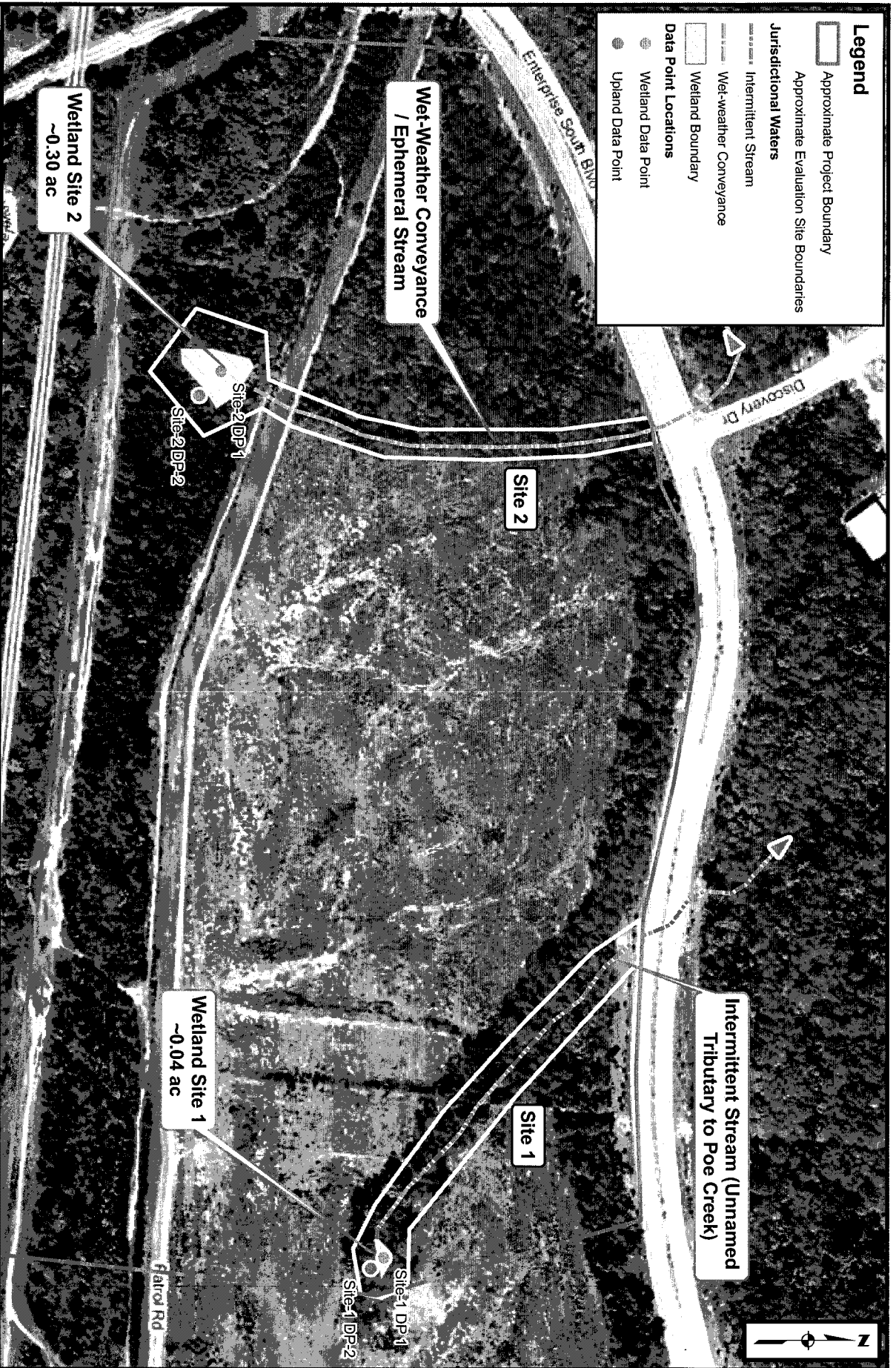
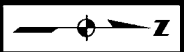
Project No: 1811-10-257A

FIGURE NO:

8.2a

Legend

- Approximate Project Boundary
- Approximate Evaluation Site Boundaries
- Jurisdictional Waters
 - Intermittent Stream
 - Wet-weather Conveyance
- Wetland Boundary
- Data Point Locations
 - Wetland Data Point
 - Upland Data Point



Aerial photograph basemap provided by ©2009 Microsoft Corporation and its data suppliers.



SCALE: AS SHOWN

CHECKED: KS

DRAWN: SAS

DATE: 10/27/10



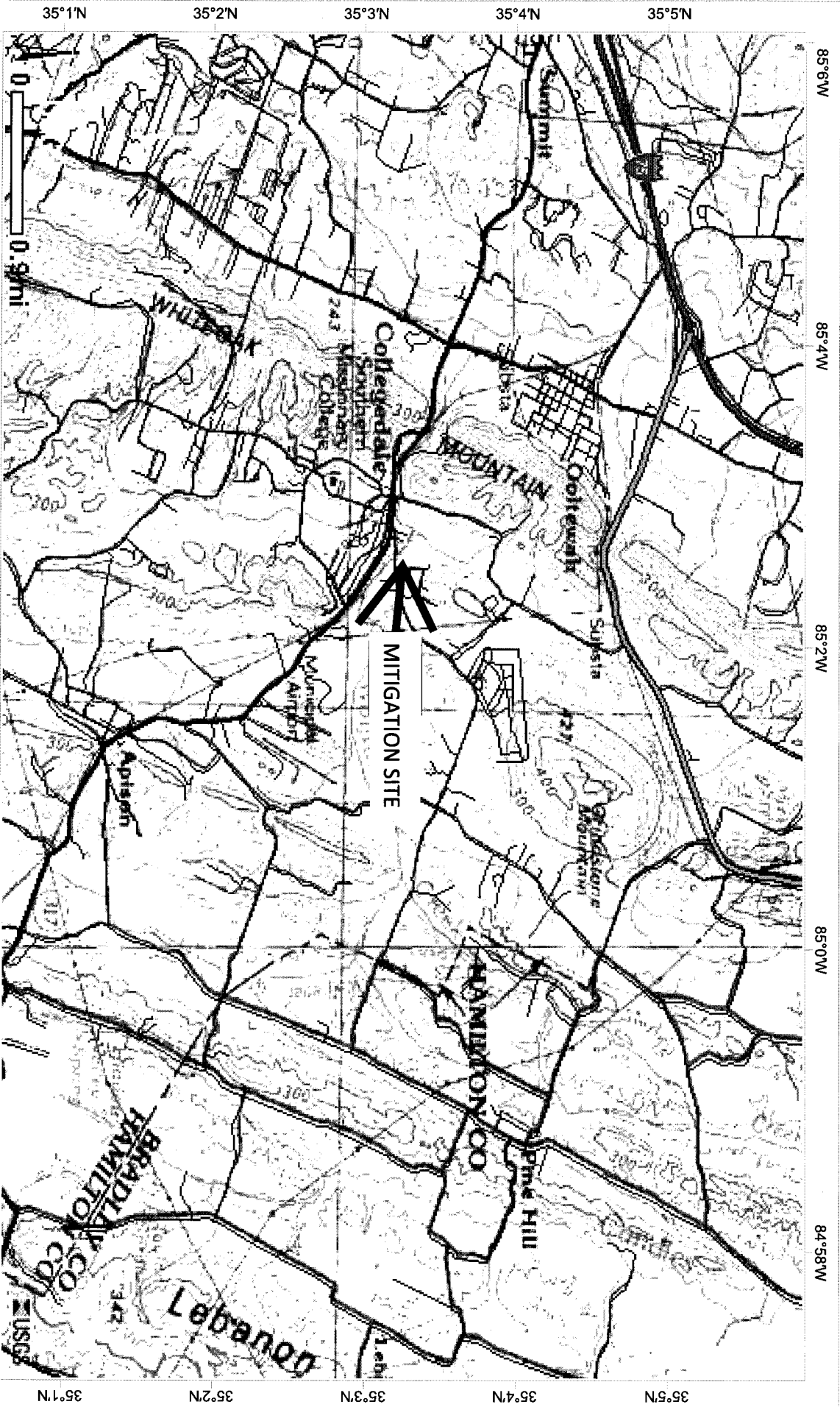
Natural Resource Verification Map

Enterprise South Industrial Park Property
Chattanooga, Tennessee

Project No: 1811-10-257A

FIGURE NO:

8.6a



35°55'N
85°6'3"W
Map Extent
35°0'38"N
84°57'10"W

Figure 1 Site Location



Geographic Coordinate System (WGS84)